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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,789	06/17/2002	Marcus Davidsson	004770.00774	8548
22907 BANNER & W	7590 10/17/200 /ITCOFF, LTD.	EXAMINER		
1100 13th STR SUITE 1200	•	AUSTIN, SHELTON W		
	N, DC 20005-4051		ART UNIT	PAPER NUMBER
			. 2623	
			MAIL DATE	DELIVERY MODE
			10/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

الما او	Advisory Action
Before	the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/031,789	DAVIDSSON ET AL.	
Examiner	Art Unit	
Shelton Austin	2623	

	Shelton Austin	2623	,
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 09 October 2007 FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	R ALLOWANCE.	
 The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods: The period for reply expires 3 months from the mailing date 	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in one with 37 CFR 1.114. The reply monor of the final rejection.	idavit, or other evider compliance with 37 C ust be filed within one	nce, which FR 41.31; or (3) of the following
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7.	ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THI 06.07(f).	g date of the final reject E FIRST REPLY WAS F	ion. ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The approprinally set in the final Off	iate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo (c) They are not deemed to place the application in bet	nsideration and/or search (see NO w);	TE below);	
appeal; and/or (d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.	
 4. The amendments are not in compliance with 37 CFR 1.1. 5. Applicant's reply has overcome the following rejection(s) 6. Newly proposed or amended claim(s) would be all 	:		
non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected that the status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ll be entered and an e	explanation of
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:			•
 AFFIDAVIT OR OTHER EVIDENCE 8. ☐ The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 	t before or on the date of filing a N d sufficient reasons why the affida	otice of Appeal will <u>no</u> vit or other evidence i	ot be entered s necessary and
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar The affidavit or other evidence is entered. An explanation 	overcome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(ils to provide a 1).
REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but		·	
See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s).		i condition for allowa	ice because.
13. Other:	(1 10/06/00) Fapel No(s)		

Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's Remarks/Arguments, Billmaier et al. (US 2003/0046695) finds support in provisional applications 60/315,731 (filed 08/29/2001), 60/317,612 (filed 09/06/2001) and 60/324,997 (filed 09/26/2001), all of which Billmaier claims benefit to and all are filed before applicant's filing date. For instance, provisional application no. 60/315,731 teaches preparing a graphic and providing text on a branded background (Page 4 under "Challenges and Additional Technical Detail"). Also, provisional application no. 60/324,997 provides support, specifically on pages 10-15 and 31-37, for a text description being overlaid or superimposed over a graphical representation and motivation thereof. Therefore, the Billmaier reference has an effective filing date prior to the applicant's filing date.

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TECHNOLOGY CENTER 2600